IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.2032 OF 2006

Achuat @ Kumar Pandurang Patil ...Petitioner
Vs.
Gramsevak Grampanchayat Malwadi
& Ors. ...Respondents

Mr P.J. Pawar for the Petitioner.
None present for the Respondents.

CORAM : S. B. MHASE, J.
DATE : MARCH 23, 2006.

P.C.:

. Mentioned. Not on board.

1. Both the courts have consistently observed that the nomination papers filed by the Respondents were filed in time but they were not put up in election process by the Election Officer and therefore, the Election Officer has declared the Petitioner as Sarpanch. The learned Counsel tried to rely upon letter dated 16.11.2005 of the villagers that they are late in filing the nomination papers. However, that Application and that material was never produced before the Collector and the Commissioner. It is coming for the first time before this Court. Under these circumstances in its extra-ordinary

jurisdiction such documents cannot be accepted. No explanation is coming forward as to why such document was not produced when the evidence was recorded by the authorities below. The reasoning and finding of fact is consistent and concurrent. No interference is called for. Accordingly, Writ Petition is rejected.

JUDGE